

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (original): A method for preparing theophylline sustained release particles comprising heating a matrix base material containing a polyglycerol fatty acid ester, theophylline and ethyl cellulose to give a liquefied mixture; and granulating the liquefied mixture by spray-cooling.

2. (original): The method according to Claim 1 comprising heating a matrix base material containing a polyglycerol fatty acid ester, theophylline and ethyl cellulose to give a liquefied mixture; granulating the liquefied mixture by spray-cooling to obtain spherical core particles; and applying fine powder to the core particles by fusion coating.

3. (original): The method according to Claim 2, wherein the core particles have a theophylline content of about 8 to about 50 wt.% and an ethyl cellulose content of about 0.01 to

about 5 wt.%, and the fine powder is applied to the core particles in an amount of about 5 to about 50 parts by weight per 100 parts by weight of the core particles.

4. (currently amended): The method according to Claim 2-~~or 3~~, wherein the core particles have an average particle diameter of 250  $\mu\text{m}$  or less, and the theophylline sustained release particles obtained by fusion coating have an average particle diameter of 450  $\mu\text{m}$  or less.

5. (currently amended): The method according to claim 1 ~~any one of Claims 1-4~~, wherein the polyglycerol fatty acid ester is a polyglycerol fatty acid half ester.

6. (currently amended): The method according to claim 1 ~~any one of Claims 1-5~~, wherein the polyglycerol fatty acid ester is a triglycerol behenic acid half ester.

7. (currently amended): The method according to Claim 1-~~or 2~~, wherein the matrix base material further contains a glycerol fatty acid ester.

8. (original): The method according to Claim 7, wherein the glycerol fatty acid ester is at least one member selected from the group consisting of a glycerol behenic acid ester and glycerol stearic acid ester.

9. (original): The method according to Claim 8, wherein the glycerol fatty acid ester is a glycerol behenic acid ester.

10. (currently amended): The method according to claim 2~~any one of Claims 2-9~~, wherein the fusion coating is performed using agitation method.

11. (currently amended): The method according to claim 2~~any one of Claims 2-10~~, wherein the fusion coating is performed at a temperature in the vicinity of the melting point or the softening point of the matrix base material.

12. (currently amended): The method according to claim 1~~any one of Claims 1-11~~, wherein the matrix base material has a hydroxyl value of about 60 or greater.

13. (currently amended): The method according to claim 2~~any one of Claims 2-12~~, wherein the fine powder is at least one member selected from the group consisting of talc, magnesium stearate, titanium oxide, ethyl cellulose, calcium stearate and cellulose acetate.

14. (original): The method according to Claim 2 further comprising the step of heat treatment after the fusion coating.

15. (original): The method according to Claim 2 further comprising subjecting the core particles to a heat treatment before the fusion coating.

16. (currently amended): The method according to Claim 14 ~~or 15~~, wherein the heat treatment is conducted at a temperature from about 40°C to about the melting point or the softening point of the matrix base material.

17. (currently amended): Theophylline sustained release particles obtainable by the method according to claim 1 ~~any one of Claims 1-16~~.

18. (original): Particles comprising a matrix base material containing a polyglycerol fatty acid ester, theophylline and ethyl cellulose,

the theophylline and ethyl cellulose being uniformly dispersed throughout the matrix base material.

19. (original): Theophylline sustained release particles each comprising the particle of Claim 18 as nucleus particle and a coating layer comprising a fine powder formed around the nucleus particle

20. (currently amended): The theophylline sustained release particles according to claim 17~~any one of Claims 17-19~~ having a 2-hour theophylline dissolution rate of about 15 to about 55%, a 4-hour dissolution rate of about 25 to about 70% and a 6-hour dissolution rate of about 50 to about 95%, as measured according to *The Japanese Pharmacopoeia*, 14<sup>th</sup> Edition, Dissolution Test (2<sup>nd</sup> Method, Paddle Method) at a stirring speed of 75 rpm using water or a 0.5% aqueous polysorbate 80 solution as test solution.

21. (original): A method for preparing medicament sustained release particles comprising applying a fine powder by fusion coating to core particles containing a pharmacologically active substance and a matrix base material that has a hydroxyl value of 60 or greater and contains a polyglycerol fatty acid ester.

22. (original): The method according to Claim 21 comprising heating a pharmacologically active substance and a matrix base material that has a hydroxyl value of 60 or greater and contains a polyglycerol fatty acid ester to thereby give a liquefied mixture,

granulating the liquefied mixture by spray-cooling to obtain spherical core particles; and applying fine particles to the core particles by fusion coating.

23. (currently amended): The method according to Claim 21 ~~or 22~~, wherein the fusion coating is performed at a temperature in the vicinity of the melting point or the softening point of the matrix base material.

24. (currently amended): The method according to claim 21 ~~any one of Claims 21-23~~, wherein the matrix base material has a hydroxyl value of about 80 to about 350.

25. (currently amended): The method according to claim 21 ~~any one of Claims 21-24~~ further comprising a heat treatment step after the fusion coating.

26. (currently amended): The method according to claim 21 ~~any one of Claims 21-24~~ further comprising subjecting the core particles to a heat treatment before the fusion coating.

27. (currently amended): The method according to Claim 25 ~~or 26~~, wherein the heat treatment is conducted at a temperature from about 40°C to about the melting point or the softening point of the matrix base material.

28. (currently amended): A method according to claim 21 ~~any one of Claims 21-27~~, wherein the polyglycerol fatty acid ester is a polyglycerol fatty acid half ester.

29. (currently amended): The method according to claim 21~~any one of Claims 21-27~~, wherein the polyglycerol fatty acid ester is a triglycerol behenic acid half ester.

30. (currently amended): Medicament sustained release particles obtainable by the method according to claim 21~~any one of Claims 21-29~~.

31. (original): Particles comprising a pharmacologically active substance and a matrix base material having a hydroxyl value of 60 or greater and containing a polyglycerol fatty acid ester,

the pharmacologically active substance being uniformly dispersed throughout the matrix base material.

32. (original): Medicament sustained release particles each comprising the particle of Claim 31 as nucleus particle and a coating layer comprising a fine powder and formed around the core particles.